

FACSIMILE COVER SHEET

LAW OFFICES OF
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PLEASE DELIVER THE FACSIMILE TRANSMITTED HERewith TO:Name: Debbie StephensFrom: Danielle M. LangdonRe: U.S. Patent Application No. 09/966,222
Request for RefundAttorney Docket No.: 17658
S&L File No. P24,989-A USAA total of 7 page(s), including this cover sheet, will be transmitted.Confirmation copy sent: Yes X NoName of Operator: Danielle M. LangdonDate Sent: September 2, 2005Facsimile number of recipient: 1 (703) 746-4654**REMARKS:**

In accordance with our telephone conversation of earlier today, attached hereto is a copy of the Request for Refund which was filed on June 6, 2005.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY. TO DO SO, YOU MAY CALL US COLLECT.

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant(s): W. Palmteer, et al.

Application No: 09/966,222

Filing Date: September 28, 2001

Attorney Docket No: 17658

Title: IMPROVED LEAD FRAME-BASED
CHIP SCALE PACKAGE

Art Group: 2829

Examiner: Zameke, David A.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addresses to: Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 6, 2005.

Danielle M. Langdon
Danielle M. Langdon

Mail Stop: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear Sir:

This is a second submission of a request for refund in connection with the above-identified patent application. In a telephone conference with Mr. Jim Engle of the U.S. Patent and Trademark Office refund department on June 6, 2005, it was determined that the PTO is not in possession of the Request for Refund filed by Applicants on September 1, 2004. Accordingly, submitted herewith are the following documents:

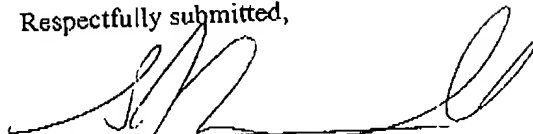
- 1) Copy of the original Request for Refund with a Certificate of Mailing dated September 1, 2004; and
- 2) Copy of the return receipt postcard date stamped received from the U.S. Patent and Trademark Office on September 3, 2004.

U.S. Patent Application No. 09/966,222
Attorney Docket No. 17685
Page 2

Applicants wish to incorporate into this request for refund, the comments made in their September 1, 2004 request.

An early and favorable response is earnestly solicited.

Respectfully submitted,



Stephen J. Driscoll, Esquire
Registration No. 37,564
Attorney for Applicant
The Whitaker Corporation
4550 New Linden Hill Road
Suite 140
Wilmington, DE 19808
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Facsimile: (302) 633-2776

SJD/dl

M:\SJD\Driscoll\Whitaker\24989-A USA\second request for refund.doc

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant: William James Palmteer, et al.

Application No: 09/966,222

Filing Date: September 28, 2001

Attorney Docket No: 17658

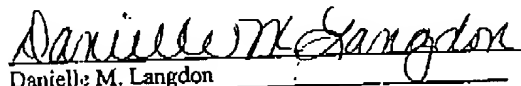
Title: IMPROVED LEADFRAME-BASED
CHIP SCALE PACKAGE

Art Group: 2827

Examiner: Zarneke, David A.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Wednesday, September 1, 2004.


Danielle M. Langdon

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

This request for refund is being filed in connection with the above-identified patent application.

Within two months of the final Office Action of August 27, 2003, Applicants filed a reply on October 27, 2003. As set forth in the final rejection:

In the event a first reply is filed within two months of the mailing date of this final action and the advisory action is not mailed until after the end of the third-month shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee

Application No. 09/966,222
Attorney Docket No. 17658
Page 2

pursuant to 37 C.F.R. §1.136(a) will be calculated from the mailing date of the advisory action.

Here, no advisory action for this reply was ever issued. On February 27, 2004, six months after the final office action, Applicants filed a Notice of Appeal with a one-month extension of time. Applicants were unclear at the time whether this extension of time was necessary since an advisory action to our reply (filed within two months of the final office action) was not received. We should have received an advisory action upon which any additional extension fees would have been based. Therefore, arguably, no extension should be required. In no event, however, should a fee greater than a one-month extension be required to file the notice of appeal if no advisory action was received.

Applicants filed a request for continued examination on May 27, 2004. This was three months to the day after the notice of appeal was filed. Therefore, no more than a one-month extension of time was required for this.

Remarkably, \$1,470.00 in fees were charged against our deposit account for the aforementioned replies. Specifically, we were assessed the following charges:

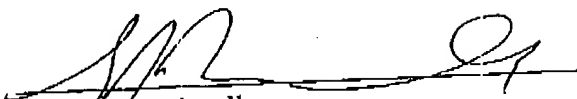
| | | |
|------------|------------------------|----------|
| 04/07/2004 | PTO Extension Fee | \$110.00 |
| 04/07/2004 | PTO Extension Fee | \$840.00 |
| 05/24/2004 | PTO Extension Fee | \$410.00 |
| 05/26/2004 | PTO Petition/Extension | \$110.00 |

This is clearly a mistake and we hereby request a refund of \$1,360.00 which is a full refund except for the \$110.00 one-month extension fee for filing the RCE.

Application No. 09/966,222
Attorney Docket No. 17658
Page 3

An early and favorable response is earnestly solicited.

Respectfully submitted,



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SJD/dl

M:\SDriscoll\Whitaker\24989-A USA\request for refund.wpd

PETITION FOR EXTENSION OF TIME TO FILE
NOTICE OF APPEAL (Large Entity)

Docket No.
17658

Application Of: Palmteer, et al.

Serial No.
09/966,222

Filing Date
September 28, 2001

Examiner
Cruz, Lourdes C.

Group Art Unit
2827

Invention: IMPROVED LEADFRAME-BASED CHIP SCALE PACKAGE

TO THE COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of August 27, 2003 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: August 27, 2003 until: February 27, 2004
Date *Date*

The fee for the extension of time is \$110 and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to
Deposit Account No.

Adjustment date: 09/06/2005 SDIRETA1 19-5425
03/11/2004 SSURLES 00000001 195425 09966222
01 FC:1253 840.00 CR


Signature

Dated: February 27, 2004

Stephen J. Driscoll
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I certify that this document and fee is being deposited
on 02/27/2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.


Signature of Person Mailing Correspondence

Danielle M. Langdon

Typed or Printed Name of Person Mailing Correspondence

CC:

P14LARGE/REV04

03/04/2004 CNGUYEN 00000135 195425 09966222
02 FC:1251 110.00 DA

Image AP/2827

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.
17658

In Re Application Of: **Palmteer, et al.**

Serial No.

09/966,222

Filing Date

September 28, 2001

Examiner

Cruz, Lourdes C.

Group Art Unit

2827


Invention: **IMPROVED FRAME-BASED CHIP SCALE PACKAGE**

TO THE COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **August 27, 2003** finally rejecting Claim(s) **1-8**

The fee for this Notice of Appeal is: **\$330.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **19-5425**



Signature

Dated: **February 27, 2004**

Stephen J. Driscoll
Registration No. 37,564
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Wilmington, DE 19808
Telephone: (215) 923-4466
Facsimile: (302) 633-2776

03/04/2004 CNGUYEN 00000135 195425 09966222

0 FC:1401 330.00 BA

cc:

I certify that this document and fee is being deposited on 02/27/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

Danielle M. Langdon

Typed or Printed Name of Person Mailing Correspondence

P13LARGE/REV05

Adjustment Date: 09/06/2005 SDIRETA1
03/04/2004 CNGUYEN 00000135 195425 09966222
02 FC:1251 110.00 CR

✓

Inventor / TM. Appl. W. PALMTEER ET AL.
 Client: THE WHITAKER CORPORATION

Appl. No. 09/166,222 Filing Date 09-28-2001

Docket No. P24,989-A USA Atty. SJD/dl

Title of Invention / Mark IMPROVED LEAD-ACID-BASED CHIP SCALE PACKAGE

The Patent / Trademark Office is in receipt of the following:

- ☐ Affidavit/Declaration, 37 CFR
- ☐ Amendment, 37 CFR
- ☐ Amendment to allege use
- ☐ Appeal notice/appeal brief
- ☐ Appointment of domestic representative
- ☐ Assignment & cover sheet
- ☐ Cert. of correction request
- ☐ Cert. of Exp. Mailing, Date _____
No. _____
- ☒ Cert. of mailing, Dated 09-01-2004
- ☐ Charge deposit account, in duplicate
- ☐ Check \$ _____ for _____
- ☐ Demand for PCT examination
- ☐ Extension of time petition _____ months
- ☐ Extension of time to file Statement of Use
- ☐ IDS (Information disclosure statement)
- ☐ PTO Form 1449: # of pages enc. _____
of references enc. _____
- ☐ Issue fee transmittal & advance order
- ☐ Letter _____
- ☐ Maintenance fee transmittal
- ☐ Opposition notice (in duplicate)
- ☐ Patent Application
of pages _____ # of pages of claims _____
of sheets of drawings _____
Declaration/Oath: _____ signed _____ unsigned _____
Transmittal letter _____

- ☐ PCT Application, transmittal, request & fee sheet
- ☐ Petition under 37 CFR
- ☐ Petition for cancellation
- ☐ Power of attorney
- ☐ Priority claim
- ☐ Renewal application
- ☐ Reply, 37 CFR
- ☐ Request for extension of time to file opposition notice (in triplicate)
- ☐ Section 8/Section 15 Affidavit/Declaration
- ☐ Specimens
- ☐ Statement of use
- ☐ Trademark/Service Mark Application
Declaration _____
Power of attorney _____
Drawing _____
- ☐ Verified statement/Small entity
- ☐ Withdrawal
- ☒ Other REQUEST FOR REPLY

